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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/798,128

03/11/2004

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EXAMINER

ANWARI, MACEEH

ART UNIT

PAPER NUMBER

2144

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/798,128	Applicant(s) MUGUDA ET AL.	
	Examiner MACEEH ANWARI	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1- 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1- 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/11/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendments filed on 1/23/2008. **Claims 1-2, 9-10, 15-16 and 21-24** were amended. No other claims have been amended, canceled, or newly presented. Accordingly, **claims 1- 25** are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claims 1- 25** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has stated wherein *the first message is associated with the distributed presentation but separate from the distributed presentation*, without effectively stating how this is accomplished. The Examiner will interpret this limitation in the broadest reasonable sense possible.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim1-25 rejected under 35 U.S.C. 102(b) as being anticipated by **Gross et al.** (hereinafter-**Gross**) U.S. Patent No.: 5,283,856.

Gross teaches:

Claim 1: A computer implemented method comprising: invoking a collaborative discussion, the collaborative discussion by providing a distributed presentation to a plurality of users (Figures 1, 3A-9 and Abstract; mail messaging and users); receiving a first message from one of the plurality of users that includes a rule, the first message associated with the distributed presentation but separate from the distributed presentation (Figures 1-9 and Abstract & Par. 40; mail messaging, users, rules and rule sets and attachments); identifying a subset of the plurality of users that correspond to the rule (Figures 1-9 and Abstract; mail messaging, users and rules and rule sets); forwarding the first message and the rule to the identified users (Figures 9-11 and Abstract & Col. 10 lines 44-51; mail messaging, users and sending messages); receiving a second message and a modification of the forwarded rule from one of the identified users (Figures 1-9 and Abstract & Par. 40; mail messaging, users, rules and rule sets and attachments); and sending the second message and the modified forwarded rule to one or more subsequent users that correspond to the modified forwarded rule (Figures 9-11 and Abstract & Col. 10 lines 44-51; mail messaging, users and sending messages).

Claim 2: Wherein the first message includes a comment, and wherein comment is displayed in the same display window as the collaborative discussion (Figures 9-11 and Abstract; mail messaging and message text).

Claim 3: Wherein the comment is displayed using display attributes corresponding to a rule pen, the rule pen that includes one or more rules, one of

the rules being the forwarded rule (Figures 9-11 and Abstract; mail messaging, message text and rule, rule engine, rule editor and rule data base).

Claim 4: Wherein the rule includes a plurality of rule sentences that each correspond to a rule, the identifying further comprising: selecting a participant entry, the participant entry corresponding to one of the plurality of users (Figures 9-11 and Abstract; participants and multiple users); and matching each of the plurality of rule sentences with one or more user attributes that correspond to the selected participant entry (Figures 9-11 and Abstract; participants, rule editor, rule name and multiple users).

Claim 5: Wherein at least one of user attributes is selected from the group consisting of a job description and an expertise (Figures 9-11A and Abstract; marketing).

Claim 6: Wherein at least one of the rule sentences includes a rule sentence value, and wherein the rule sentence value is selected from the group consisting of a term, a constant, a connective and a function (Figures 1-11A and Abstract & Col. 4 lines 33-45; rule set, rule data base and multiple functions).

Claim 7: Wherein the modifying includes changing the number of rule sentences that correspond to the rule (Figures 9-11 and Abstract; rule editor and multiple users).

Claim 8: Wherein the received message is sent from a sending client, the sending client adapted to select a rule pen from a rule pen stand, wherein the rule pen includes one or more rules, the forwarding rule being one of the rules

(Figures 9-11A and Abstract & Col. 10 lines 44-51; rule, rule set, mail messaging, users, sending messages and users).

Claims 1- 8 list all the same elements of **claims 9- 25**; therefore, the supporting rationale of the rejection to **claims 1- 8** applies equally as well to **claims 9- 25**.

Examiner Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Response to Arguments

6. Applicant's arguments filed 1/23/2008 have been fully considered but they are not persuasive. In substance the applicant argues: A) that **Gross** does not disclose providing a distributed presentation to a plurality of users; B) that the *collaborative discussion* discussed in **Gross** is sending email messages, which is not the same as (in **Muguda**) *invoking a collaborative discussion by providing a distributed presentation to a plurality of users*; C) that **Gross** never teaches *receiving a first message from one of a plurality of users that includes a rule, the first message associated with the distributed presentation but separate from the distributed presentation*; D) **Gross** discloses approaches for creating rules but, however, none of which are based upon modifying a rule received from another user; E) **Gross** does not disclose receiving a second message and a modification of the forwarded rule from one of the identified users.

7. In response to A), Examiner respectfully disagrees. **Gross** discloses an event driven rule-based messaging system with multiple clients/users and graphical user interfaces/presentations. Therefore **Gross** reads on this limitation. For further clarification refer to rejection above.

8. In response to B), Examiner respectfully disagrees. As stated above, **Gross** discloses a messaging system with graphical user interfaces and multiple users within a list. Therefore **Gross** reads on this limitation. For further clarification refer to rejection above.

9. In response to C), Examiner respectfully disagrees. **Gross** discloses an email messaging system that can include attachments; therefore the attachments are associated with the distributed presentation, but separate from them. Therefore **Gross** reads on this limitation. For further clarification refer to rejection above.

10. In response to D), Examiner respectfully disagrees. **Gross** discloses a messaging system (i.e. an e-mail), where one user sends a message and another can reply (hence edit/change) to the message. Therefore **Gross** reads on this limitation. For further clarification refer to rejection above.

11. In response to E), Examiner respectfully disagrees. **Gross** discloses a messaging system with the ability to edit the messages and forward messages to multiple users. Therefore **Gross** reads on this limitation. For further clarification refer to rejection above.

12. Applicant has had an opportunity to amend the claimed subject matter, and has failed to modify the claim language to distinguish over the prior art of record by clarifying

or substantially narrowing the claim language. Thus, Applicant apparently intends that a broad interpretation be given to the claims and the Examiner has adopted such in the present and previous Office action rejections. See *In re Prater and Wei*, 162 USPQ 541 (CCPA 1969), and MPEP 2111.

13. Applicant employs broad language, which includes the use of word, and phrases, which have broad meanings in the art. In addition, Applicant has not argued any narrower interpretation of the claim language, nor amended the claims significantly enough to construe a narrower meaning to the limitations. As the claims breadth allows multiple interpretations and meanings, which are broader than Applicant's disclosure, the Examiner is forced to interpret the claim limitations as broadly and as reasonably possible, in determining patentability of the disclosed invention. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.1993).

14. Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response, and reiterates the need for the Applicant to more clearly and distinctly defines the claimed invention.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MACEEH ANWARI whose telephone number is (571)272-7591. The examiner can normally be reached on Monday-Friday 7:30-5:00 PM ES.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2144

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.A.

/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2144